

Silver Lake Farms Condominium Association
Meeting Minutes

January 16, 2008

Present: Matt Miller, Derek Day, Vanessa Skaff, Marlene Murphy

Next meeting: To be Announced

I. Announcements

None

II. Discussion

Lien Filed on Lot #5

The consideration of a compromise offer to clear the lien filed January 29, 2002 on Lot 5 (formerly owned by the Terry and Michelle Nunley) for the assessment of the road paving completed in the spring of 2001 had been tabled until this meeting to allow additional time for a detailed accounting in support of the lien and of any monies owed Mark's Paving for the road to be presented.

For the record it is noted that due to a potential conflict of interest, Association President Matt Miller was not involved in the discussion of this issue nor did he vote on the issue by the Board of Directors and Officers.

Pete Cozaciak of Lot #1 hand-delivered a packet of photo copies relating to the road assessment and the filing of the lien in question to Vice President Derek Day on January 16, 2008 prior to the meeting of board.

The Board of Directors reviewed the copies in the packet and concluded that there was no new information offered and no supporting documentation as to any funds remaining due Mark's Paving or having been billed as unpaid by Mark's Paving.

No other information, objections or supporting documentation has been provided to the Board in the past 90 days since the compromise offer was made, even though Mark's Paving was asked to submit an accounting of the road project billing, payments received, and any unpaid balance.

The following points were considered in the final vote by the Board:

1. After reviewing the documents in support of the lien, it appears that the lien is likely unenforceable and perhaps invalid for the following reasons:
 - a. Association By-Laws, Section 2(b) requires 60% co-owner approval for special assessments, or 9 of 15 co-owners.
 - b. 6 people signed the assessment authorization document citing the assessment approved at a meeting on October 18, 2000. This only represented 40% of the 15 co-owners, falling short of the 60% required.

On further investigation, it appears that 2 of the signatures (Lee and Nancy Churchill) were not authorized to act as co-owners since they no longer owned any of the 15 lots in the association. (The last property they owned, Lot 6, was sold to

the Hall's on September 29, 2000 according to Fenton Township records.) Since the Churchill's were no longer co-owners or developers they were not legitimate parties to execute the document.

2. While there may be some association members who feel that the lien may in fact be valid and enforceable, the Board felt that the cost to defend the filing of the lien (attorney fees and court costs) would be considerable and an expense which the Association is not in a position to incur.
3. The Condominium Association did not enter into a business relationship directly with Mark's Paving to contract the road paving and is not directly responsible for any unpaid balance; however, in the interest of fairness and integrity, in October 2007 the Board asked Mark's Paving to provide an accounting of any monies still owed them for the project. No such accounting or even a statement of balance owed has been received.

Based on the above, the 3 voting board members voted unanimously to accept the comprise offer of \$1500 and to execute a release of lien on Lot 5 upon receipt of payment.

III. Roundtable

Street Light at Entrance

Derek Day reported that he had expected the street light at the entrance to be installed by now. Since it has not, he will follow up to see that the status is.

Neighborhood Garage Sale

It was suggested that the Association hold a neighborhood garage sale in May or June. The Board thought it was a good idea and will look into planning this.

Association Fees Collection

Only a few members have paid their \$12 annual association fees for 2008. The Treasurer, Vanessa Skaff, will be contacting members for payment.

By Law Review

The Board intends to meet to review each of the by-laws for changes or removal and to proposed additional by-laws. Once the proposed revisions are compiled they will be referred to the Association members for review and an annual meeting will be called to discuss and vote on the proposed changes.

Next Meeting:

No date has been set for the next Board Meeting at this time.

Marlene Murphy
Association Secretary
January 17, 2008